

REMARKS

The foregoing amendments and these remarks are in response to the Office Action dated October 6, 2008. Applicants hereby request a three month extension of time for filing this response. Authorization is given to charge the appropriate fees to Deposit Account No. 50-0951.

At the time of the Office Action, claims 1-6 were pending, with claim 7 being withdrawn from consideration in a previously filed Restriction Requirement. In the Office Action, claims 1-6 were rejected under 35 U.S.C. §112, second paragraph. Claims 1-6 were also rejected under 35 U.S.C. §102(b) and/or in the alternative, under 35 U.S.C. §103(a). The rejections are discussed in more detail below.

I. Election/Restrictions

Applicant confirms the previous election of Species I, claims 1-6. Rejoinder of claim 7 into the application is respectfully requested upon allowance of claim 3, from which it depends.

II. Rejections of the claims under 35 U.S.C. §112

Claims 1-6 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Amendments have been made to overcome this rejection. Withdrawal of the rejection is thus respectfully requested.

III. Rejections of the claims based on cited art

Claims 1-6 were rejected under 35 U.S.C. §102(b) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,653,872 to Cohan (hereafter "*Cohan*"), or U.S. Patent No. 4,787,152 to Mark ("*Mark*"), or U.S. Patent No. 4,126,945 to Manser ("*Manser*"). Applicant submits that the claims are patentable over these references.

The process of claims 1 and 3 provide for the production of finished granules in a granulation fluid bed. A granulation fluid bed is a fluid bed where the granules are continuously made to grow (in volume and mass) from a seed to the finished granule (see for example, page 1, lines 21-27 of the specification.) In none of the cited documents a granulation fluid bed is disclosed or suggested for obtaining the granules.

The process of claims 1 and 3 also provide for transferring the finished granules from the granulation fluid bed in a pressurized space below the granulation fluid bed by falling of the finished granules thorough suitable sized opening of a base plate supporting said granulation fluid bed. The process of claims 1 and 3 further provide for collecting the finished granules falling from the granulation fluid bed in the below pressurized space, in a second fluid bed, which is formed and maintained exploiting at least part of the fluidification air used for the granulation fluid bed.

These features are clearly missing from *Cohan*, *Mark* and *Manser*, in which a single fluid bed is disclosed, and the base plate supporting such a fluid bed is not provided with suitable sized openings for the falling of the granules.

The process of claim 1 finally provides for the extraction of the finished granules from the pressurized space to the outside by means of a well arranged outside the pressurized space and in fluid communication with the second, collection fluid bed. Again, all cited references are silent about this feature, and instead they disclose conventional systems for the mechanical extraction of granules. In *Cohan* a chain type conveyor 30 is used; in *Mark* an airlock 19 is used while in *Manser* a conveyer belt is used.

For the foregoing reasons, claims 1 and 3 are patentable over the prior art. Dependent claims 2, and 4-7 are also believed to be allowable because of their dependence upon an allowable base claim, and because of the further features recited

IV. Conclusion

Applicant has made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicant

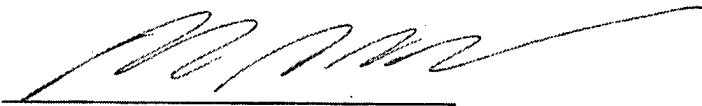
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invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicant respectfully requests reconsideration and prompt allowance of the pending claims.

Respectfully submitted

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